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7590 07/01/2004

Catherine Anne Whealy
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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

Catherine Anne Whealy (Depositor's name)
Catherine Anne Whealy (Signature)
September 28, 2004 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/805,580 03/20/2004

Heinrich Westhoff

1405

TITLE OF INVENTION: LOBELIA PLANT NAMED 'WESLOLAV'

See attached letter \$640.00

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$640	\$0.00	\$640	10/01/2004
EXAMINER		ART UNIT	CLASS-SUBCLASS		
HAAS, WENDY C		1661	435-006000		

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).
 Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
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2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

*Josef & Heinrich Westhoff
Gartenbau-Spezialkulturen*

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Suttkus, Germany

Please check the appropriate assignee category or categories (will not be printed on the patent); individual corporation or other private group entity government

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Catherine Anne Whealy 9/28/04

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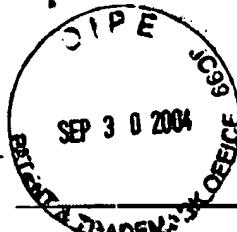
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10/01/2004 AWONDAF2 00000025 10805580

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UNITED STATES PATENT AND TRADEMARK OFFICE

Office of Patent Publication
Pre-Grant Publication Division

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/805,580	03/20/2004	Heinrich Westhoff	None

Catherine Anne Whealy
Proprietary Rights International
P.O. Box 220
Tolar TX 76476

1405

Date Mailed: September 28, 2004

LETTER VACATING REQUIREMENT FOR PUBLICATION FEE

This is in response to your telephone inquiry on September 28, 2004, in the above-identified application indicating that the application should not have been published. The application was filed with a valid Non-Publication request. No publication fee is required.

The requirement for a publication fee is vacated.

If the applicant has filed a payment of the publication fee, a request for refund accompanied by a copy of this letter may be mailed to:

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Questions relating to this communication should be directed to the undersigned by telephone at (703) 605-4283.

Barbara J. Debnam
Program Analyst
Pre-Grant Publication Division
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